

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILED

IN RE: SEARCH WARRANT )  
ISSUED IN CONNECTION )  
WITH THE INVESTIGATION )  
BY N.C. STATE BUREAU OF )  
INVESTIGATION 2018-00619 )

2019 JAN 22 AM 8:06

MOTION

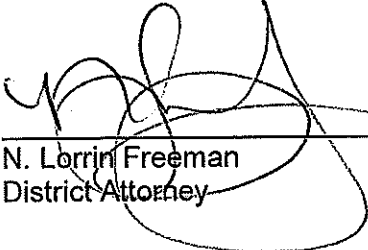
WAKE COUNTY, C.S.C.

Now comes the State of North Carolina by and through District Attorney Lorrin Freeman for an extension of the order sealing the search warrant, the application of search warrant and the inventories of the items seized pursuant to the search warrant by the N.C. State Bureau of Investigation in the above referenced investigation. The State shows the following:

1. The N.C. State Bureau of Investigation is involved in an ongoing investigation. At this time, no charges have been initiated and the investigation continues.
2. That the investigators with the N.C. State Bureau of Investigation applied for a search warrant to obtain records in the custody and control of the North Carolina State Employees' Credit Union on December 20, 2018.
3. That this search warrant has now been executed and return made by Agent C.S. Faircloth with the N.C. State Bureau of Investigation.
4. That an order sealing the search warrant and return thereof for 30 days was entered by the Honorable Superior Court Judge Graham Shirley on December 20, 2018.
5. That the affidavit attached to these search warrants include information that has not been previously been made public and to publicly disclose the information might hamper or impede this investigation and/or may release information that could adversely affect persons who are not charged with committing a crime and materially prejudice further adjudicable procedures involving this investigation and any subsequent prosecution and will jeopardize the right of the State to prosecute a defendant or the right of the defendant to receive a fair trial or will undermine an ongoing investigation.

WHEREFORE, the State moves the Court to extend the order sealing the application for search warrant and search warrant applied for on December 20, 2018, and the return and inventories of items seized by the N.C. State Bureau of Investigation and this motion for an additional 60 days beyond January 21, 2019.

This, the 21st day of January, 2019.

  
\_\_\_\_\_  
N. Lorrin Freeman  
District Attorney

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
2019 JAN 22 AM 8:06

IN RE: SEARCH WARRANT )  
ISSUED IN CONNECTION )  
WITH THE INVESTIGATION )  
N.C. STATE BUREAU OF )  
INVESTIGATION 2018-00797 )

WAKE COUNTY, C.S.C.  
*[Signature]*  
ORDER RE: SEARCH WARRANT

THIS CAUSE HAVING COME ON TO BE HEARD before the Judge  
Presiding, and it appearing to the Court:

1. That a search warrant was issued on December 20, 2018, at the request of the N.C. State Bureau of Investigation as part of an ongoing investigation. This search warrant was for the purpose of obtaining records in the custody and control of the North Carolina State Employees' Credit Union.
2. That said search warrant was executed and the return thereof filed with the Clerk of Superior Court under an Order to Seal entered by the Honorable Superior Court Judge Graham Shirley on December 20, 2018.
3. That information included in the search warrant, any attachments, application for search, the inventories of items seized, and the return includes sensitive information which is the subject of an ongoing investigation.
4. That the interest of justice will best be served by continuing the temporary sealing of said warrant, any attachments, return, application for search, the inventories of items seized, and the Motion and Order.
5. That to publicly disclose the basis for the search warrant, or the inventory of those matters recovered from this location might hamper or impede this investigation and/or may release information that could adversely affect persons who are not charged with committing a crime and materially prejudice further adjudicable procedures involving this investigation and any subsequent prosecution and will jeopardize the right of the state to prosecute a defendant or the right of the defendant to receive a fair trial or will undermine an ongoing investigation.

6. The information gained in the execution of this search warrant may be of substantial investigative value, leading to other searches, and that this entire investigation is an active process at this time.

It is therefore ORDERED that the application and search warrant, issued on the above referenced date, and the return and inventories therefore, and this Motion be sealed by the Court for an additional 60 days and the contents thereof not released.

This, the 21<sup>st</sup> day of January, 2019.

Rebecca W. Holt  
Superior Court Judge

FILED

2018 DEC 20 PM 2:51

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
WAKE COUNTY, C.S.C. SUPERIOR COURT DIVISION

BY



IN RE: SEARCH WARRANT ISSUED IN

CONNECTION WITH THE INVESTIGATION

MOTION

SBI CASE: 2018-00619

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Now comes the State of North Carolina by and through District Attorney N. Lorrin Freeman for an order sealing the search warrant, the application of the search warrant and the inventory of the items seized pursuant to the search warrant by the North Carolina State Bureau of Investigation (SBI) regarding an investigation. The state shows the following:

- (1) The SBI initiated a criminal investigation on February 28, 2018 concerning allegations of possible absentee ballot fraud in Bladen County, North Carolina.
- (2) That the investigation is ongoing and was requested by the Wake County District Attorney's Office.
- (3) That a Criminal Specialist of the SBI applied for a search warrant to receive financial records held by the State Employees' Credit Union on December 5, 2018.
- (4) That such search warrant was executed on December 5, 2018.
- (5) That this search warrant, including the inventory, and the return thereof, have not been filed heretofore with the Wake County Clerk of Court.
- (6) That the affidavit attached to this search warrant includes information and the name of the person that is still under investigation.
- (7) That to disclose the identity of the person might hamper or impede this investigation and/or may materially prejudice further adjudicable procedures involving this investigation and any subsequent prosecution and will jeopardize the right of the state to prosecute a defendant or the right of the defendant to receive a fair trial or will undermine an ongoing investigation.

WHEREFORE, the State moves the Court seal the search warrant, the application of the search warrant and the inventory of the items seized by the SBI.

This the 5th day of December 2018.



District Attorney N. Lorrin Freeman

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

FILED

2018 DEC 20 PM 2:51

WAKE COUNTY, C.S.C.

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

IN RE: SEARCH WARRANT ISSUED IN  
CONNECTION WITH THE INVESTIGATION

ORDER

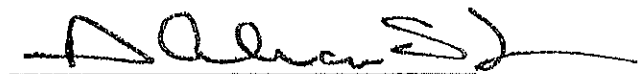
SBI CASE: 2018-00619

THIS CAUSE HAVING COME ON TO BE HEARD before the judge presiding and it appearing to the court:

- (1) That a search warrant was issued on December 5, 2018, pursuant to a North Carolina State Bureau of Investigation (SBI) investigation of allegations of possible North Carolina election law violations.
- (2) That the success of this investigation by the SBI may be hindered by the publishing, at this time, of the contents of the application and warrant, and return thereof, this Motion and Order in the several manners described in the States Motion to Seal.
- (3) That the information in the search warrant and return includes sensitive information which is the subject of an on-going investigation.
- (4) That the interest of justice will best be served by temporarily maintaining the secrecy of said warrant, return, and Motion and Order.
- (5) That the State Employees' Credit Union will be provided with a copy of the Search Warrant in order to comply with the Search Warrant's Order, AND the State Employees' Credit Union is ORDERED not to disclose the contents of the Search Warrant to anyone, other than as necessary to comply with this Search Warrant and Order.
- (6) That to publicly disclose the basis for the search warrant, or the inventory of those matters recovered from this location might hamper or impede this investigation and/or may materially prejudice further adjudicable procedures involving this investigation and any subsequent prosecution and will jeopardize the right of the state to prosecute a defendant or the right of the defendant to receive a fair trial or will undermine an ongoing investigation.

IT IS THEREFORE ORDERED that the application and search warrant issued on the above referenced date and the return therefore, and this Motion, be sealed by the Court and the contents thereof not released for a period of 30 days, with leave to request an additional period upon showing good cause.

This the 6<sup>th</sup> day of December 2018.



Superior Court Judge

## SEARCH WARRANT

IN THE MATTER OF

Leslie McCrae Dowless

Date Issued 12-5-18 Time Issued 8:48 AM ☒ AM ☐ PM

Name Of Applicant

Criminal Specialist D. S. Faircloth

Name Of Additional Affiant

Name Of Additional Affiant

## RETURN OF SERVICE

I certify that this Search Warrant was received and executed as follows:

Date Received 12-5-2018 Time Received 8:48 AM ☒ AM ☐ PMDate Executed 12-5-2018 Time Executed 10:20 AM ☒ AM ☐ PM☒ I made a search of

Employee Credit Union 119 N. Salisbury Street Raleigh NC

as commanded.

☒ I seized the items listed on the attached inventory.☐ I did not seize any items.☐ This Warrant WAS NOT executed within forty-eight (48) hours of the date of issuance and I hereby return it not executed.

Signature Of Officer Making Return

Department Or Agency Of Officer

Incident Number

NC361 2018-00619

## STATE OF NORTH CAROLINA

Wake

County

In The General Court Of Justice  
District/Superior Court Division

To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:

I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as described in the application.

You are commanded to search the premises, vehicle, person and other place or item described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.

You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this Warrant and make due return to the Clerk of the Issuing Court.

This Search Warrant is issued upon information furnished under oath by the person(s) shown.

Date 12-5-18

Signature

Deputy CSC ☐ Assistant CSC ☐ CSC ☐  
Magistrate ☐ District Ct. Judge ☐ Superior Ct. Judge ☐

This Search Warrant was returned to me on the date and time shown below.

Date 12/20/18

Time 2:49

☐ AM ☒ PM

Signature

Joanne Iufner

Deputy CSC ☒ Assistant CSC ☐  
Clerk Of Superior Court ☐

# APPLICATION FOR SEARCH WARRANT

I, D. S. Faircloth, Criminal Specialist, North Carolina State Bureau of Investigation

(Insert name and address, or if law enforcement officer, name, rank and agency)

being duly sworn, request that the Court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. There is probable cause to believe that (Describe property to be seized; or if search warrant is to be used for searching a place to serve an arrest warrant or other process, name person to be arrested)

See Attachment #1

constitutes evidence of a crime and the identity of a person participating in a crime, (Name crime) NCGS 163A-920; 163A-1298(a)(6); 163A-1317

and is located (Check appropriate box(es) and fill-in specified information)

☒ in the following premises (Give address and, if useful, describe premises)

State Employees' Credit Union

119 N. Salisbury St.  
Raleigh, NC 27603

(and)

☐ on the following person(s) (Give name(s) and, if useful, describe person(s))

(and)

☐ in the following vehicle(s) (Describe vehicle(s))

(and)

☐ (Name and/or describe other places or items to be searched, if applicable)

The applicant swears to the following facts to establish probable cause for the issuance of a search warrant:

See Attachment #2

SWORN AND SUBSCRIBED TO BEFORE ME

Date

12-5-18

Signature

*[Signature]*

Signature of Applicant

*[Signature]*

Date 12-5-2018

☐ Magistrate

☐ Dep. CSC

☐ Asst. CSC

☐ Clerk of Superior Court

☒ Judge

☐ In addition to the affidavit included above, this application is supported by additional affidavits, attached, made by

☐ In addition to the affidavit included above, this application is supported by sworn testimony, given by

This testimony has been (check appropriate box) ☐ reduced to writing ☐ tape recorded and I have filed each with the clerk.

**NOTE:** If more space is needed for any section, continue the statement on an attached sheet of paper with a notation saying "see attachment." Date the continuation and include on it the signatures of applicant and issuing official.

Attachment # 1

Description of Items to be seized

A copy of all records and transactions maintained by the North Carolina State Employees' Credit Union for transactions conducted using the CashPoints ATM in Bladenboro, North Carolina on May 3, 2018 between 8:15 a.m. and 9 a.m. (Eastern Standard Time) and the CashPoints ATM in Elizabethtown, North Carolina on May 3, 2018 between 10:35 a.m. and 10:55 a.m. (Eastern Standard Time). The records should consist of but not be limited to the following: account holder information, account numbers, names of financial institutions, video surveillance images, and any other records tied to ATM activity during the above referenced times and locations.

D. J. Faircloth, NCBI

SIGNATURE OF AFFIANT

12-5-2018

DATE

Dea S.

SIGNATURE OF SUPERIOR COURT JUDGE

12-5-18

DATE



**ATTACHMENT # 2**

**Affidavit of Criminal Specialist D. S. Faircloth**

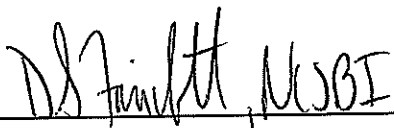
I, D. S. Faircloth being duly sworn depose and say the following:

I am 44 years old, a citizen of the United States and a resident of North Carolina. In the Spring of 1996, I graduated from East Carolina University with a Bachelor of Science degree in Biology.

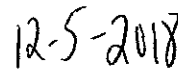
I am employed as a Criminal Specialist (CS) of the North Carolina State Bureau of Investigation. I am assigned to the Special Investigations Unit to investigate cases of public corruption and other related crimes in violation of the North Carolina criminal laws.

In my capacity as a Criminal Specialist (CS), I have been assigned to conduct a criminal investigation concerning possible absentee ballot fraud committed in Bladen County, North Carolina by McCrae Dowless and others. This investigation was initiated at the request of District Attorney N. Lorrin Freeman in the 10<sup>th</sup> Prosecutorial District.

The absentee ballot by mail request form became available for Bladen County registered voters on March 19, 2018. The deadline to make an absentee ballot request was May 1, 2018. The completed absentee ballot had to be at the Bladen County Board of Election Office on May 8, 2018 or the completed absentee ballot had to be postmarked by 5:00 p.m. on May 8, 2018 if the Bladen



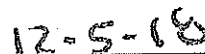
SIGNATURE OF AFFIANT



DATE



SIGNATURE OF SUPERIOR COURT JUDGE

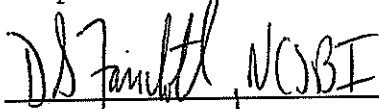


DATE


County registered voter mailed their completed absentee ballot to the Bladen County Board of Elections Office.

On Wednesday, October 17, 2018, CS Faircloth and Federal Bureau of Investigation (FBI) Special Agent (SA) James Kaylor interviewed Tonia Gordon at a location in Bladen County, North Carolina. Gordon told CS Faircloth that McCrae Dowless gave her several blank "State Absentee Ballot Request Forms" and told her to have several individuals in Bladen County, North Carolina complete the forms. Gordon went to several individuals in Bladen County to complete the "State Absentee Ballot Request Form." Gordon would return all the completed "State Absentee Ballot Request Forms" back to McCrae Dowless. McCrae Dowless would then pay Gordon \$5.00 for every "State Absentee Ballot Request Form" she returned to him. Gordon would then go to the individual's residence after the ballot was mailed to the individual that requested it. Gordon would sign as a witness on the outer envelope that the individual completed their ballot. Gordon would collect the sealed envelope containing the completed ballot and return it to McCrae Dowless. McCrae Dowless would then pay \$5.00 to Gordon for the sealed envelope containing the completed ballot.

On Thursday, October 18, 2018, CS Faircloth and CS C. L. Barefoot of the North Carolina State Bureau of Investigation interviewed Kelly Hendrix at a location in Bladen County, North Carolina. Hendrix said McCrae Dowless gave her several blank "State Absentee Ballot Request Forms" and told her to go to several individuals in Bladen County, North Carolina, and have them complete the "State Absentee Ballot Request Form." Hendrix went



SIGNATURE OF AFFIANT



DATE



SIGNATURE OF SUPERIOR COURT JUDGE



DATE

to several individuals in Bladen County to have them complete the "State Absentee Ballot Request Form." Hendrix collected all the completed "State Absentee Ballot Request Forms" and returned them to McCrae Dowless. Hendrix said McCrae Dowless would pay her "gas money" to go to different individual's residence to have them complete the "State Absentee Ballot Request Form." Hendrix would then go to the individual's residence when the ballot was mailed to the individual's residence. Hendrix would sign as a witness that the individual filled out their ballot and placed the ballot inside a sealed envelope. Hendrix would then collect the sealed envelope containing the completed ballot from the individual and return the sealed envelope to McCrae Dowless.

Surveillance was conducted on Thursday, May 3, 2018, by SA Kaylor of the CashPoints ATM located in Bladenboro, North Carolina in close proximity to Bladen County Community College. SA Kaylor witnessed McCrae Dowless at approximately 8:25 a.m. meet with different individuals outside the convenience gas station where the same CashPoints ATM was located in Bladenboro, North Carolina. SA Kaylor witnessed the individuals that met with McCrae Dowless go to this same CashPoints ATM in close proximity of time that they met with McCrae Dowless to conduct one or more transactions at the CashPoints ATM.

Surveillance was conducted on Thursday, May 3, 2018, by CS Faircloth and Assistant Special Agent in Charge (ASAC) T. B. Tanner of the North Carolina State Bureau of Investigation at the CashPoints ATM located in Elizabethtown, North Carolina in close proximity to the Bladen County Library and the Bladen County Courthouse. CS Faircloth and ASAC Tanner witnessed McCrae

D. S. Faircloth, NCSBI

SIGNATURE OF AFFIANT

12-5-2018

DATE

W. G. S. S. S.

SIGNATURE OF SUPERIOR COURT JUDGE

12-5-18

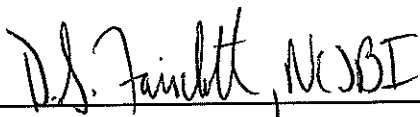
DATE

Dowless conduct one or more transactions at the CashPoints ATM at approximately 10:45 a.m.

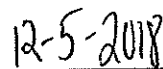
Your affiant believes there is probable cause to show violations of the North Carolina State Election Laws have occurred.

Information about the transactions conducted at the CashPoints ATMs is valuable to the completion of the criminal investigation. A representative from the North Carolina State Employees' Credit Union advised no accounts existed in the name of McCrae Dowless. However, the representative of the North Carolina State Employees' Credit Union stated CashPoints ATMs accept bank cards from a variety of financial institutions. The representative confirmed the State Employees' Credit Union was the custodian of financial records for all transactions made at CashPoints ATM locations in North Carolina.

Therefore, your affiant respectfully requests that a search warrant be issued to the North Carolina State Employees' Credit Union for copies of all financial records and transactions conducted using the CashPoints ATM in Bladenboro, North Carolina on May 3, 2018 between 8:15 a.m. and 9 a.m. (Eastern Standard Time) and the CashPoints ATM in Elizabethtown, North Carolina on May 3, 2018 between 10:35 a.m. and 10:55 a.m. (Eastern Standard Time). The records should consist of but not be limited to the following: account holder information, account numbers, names of financial institutions, video surveillance images, and any other records tied to ATM activity during the above referenced times and locations.



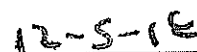
SIGNATURE OF AFFIANT



DATE



SIGNATURE OF SUPERIOR COURT JUDGE



DATE

**STATE OF NORTH CAROLINA**

File No.

Wake

County

In The General Court Of Justice  
☐ District ☐ Superior Court Division

**IN THE MATTER OF:**

Name

Leslie McGee Dowless

**INVENTORY OF ITEMS SEIZED  
 PURSUANT TO SEARCH**

G.S. 15A-223, -254, -257

I, the undersigned officer, executed a search of:

Person, Premises Or Vehicle Searched

North Carolina State Employees Credit Union  
119 N. Salisbury Street, Raleigh, NC

Date Of Search

12-5-2018

This search was made pursuant to

- ☒ 1. a search warrant issued by: Superior Court Judge Graham Shirley  
☐ 2. consent to search given by: \_\_\_\_\_  
☐ 3. other legal justification for the search: \_\_\_\_\_

The following items were seized:

All records and transactions maintained by North Carolina State Employees Credit Union for transactions conducted at CashPoint ATM in Bladenboro NC on May 3, 2018 between 8:15am and 9:00am and CashPoints ATM in Elizabethtown, NC on May 3, 2018 between 10:35am and 10:55am

nothing further DS Firscht 12/12/2018 3:55pm

Original - File

Copy - For Search by Warrant of a Person, to Person from Whom Items Taken

Copy - For Search by Warrant of Vehicle/Premises, to Owner or Person in Apparent Control; if No Such Person Present, Leave Copy Affixed Thereon

Copies - For Search by Consent, to Person Giving Consent and Owner of Vehicle/Premises Searched, if Known

(Over)